

THE EPITAPH
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Tombstone SUNDAY EDITION Epitaph.

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tains all the news of the week as it
appears in THE DAILY PROSPECTOR.
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VOLUME XXVIII

TOMBSTONE, COCHISE COUNTY, ARIZONA—SUNDAY, FEBRUARY 7, 1909

NO 6

COURT SESSION WAS HELD TODAY

The Election Contest at Benson Decided—Verdict of Election Board is Upheld

TWO DECREES OF DIVORCE ARE GRANTED

Judge Doan held a session of court today and disposed of the following cases:
Buffehr vs Buffehr—Decree of divorce granted.
Cummings vs Hanley—Injunction dissolved and petition dismissed.
Territory vs Thos DePriest—Bond fixed at \$1000.
Metter vs Little Jessie Mining Co.—Judgment granted for plaintiff.
Harmon vs Trask, constable election

contest case from Benson. This case was previously continued for further citations. Today judgment was entered in favor of the contestee, Mr. Trask, who had been previously declared elected by the election board.
Chivers vs Chivers—Decree of divorce granted.

Frank C. Earle Visits Tombstone

F. C. Earle, general manager of the El Paso Smelting Works, which is one of the largest smelting plants in the United States, is a Tombstone visitor today. Mr. Earle is a former Tombstone resident, having established the first assay office here, which is still being conducted at the same place by our esteemed townsman L. Hart. Besides the ties of sentiment which makes Mr. Earle's visit to his old stamping grounds a pleasant one, he also has property interests here and is a heavy stockholder and officer in the Hershall Mining Company, which is one of the regular producers of Tombstone district. Mr. Earle today, in company with General Manager Douglas Gray, paid a visit of inspection to the Hershall.

Were Prominent Tombstone Visitors

Gen. Supt. Hawkes, Supt. F. B. King and Gen. Freight Agent A. N. Brown of the El Paso & Southwestern, and J. A. Happer, president of the El Paso chamber of commerce, passed through Tombstone yesterday on their return from Courtland, where they had been to size up the possibilities of the camp, toward which both the Southwestern and the S. P. are extending their lines and pushing construction work along as rapidly as possible. Mr. Happer is interested in mining properties in this district and came out to inspect them. While here they called on Mr. L. Hart, who is an old friend of Mr. Hawkes, and in conversation with that gentleman expressed themselves as highly pleased with the outlook, and that Courtland and Leadville gave promise of developing into a great camp. The gentlemen departed on the evening train.

SITUATION WANTED—A cook in a private family or mining camp, the latter preferred. Address Mrs. Edith Weldon, Gen. Del. Tombstone. 126-1w

IN THE COURTS

Doings in the Various Courts of
Record of Cochise County
Arizona

DISTRICT COURT.

Suit No. 5156, judgment; J. G. Naquin, Dr., Arizona Mutual Savings & Loan association, Cr.
Suit No. 5556 filed; C. L. Cummings vs John Hanley, action for injunction.
Suit No. 5557 filed; Bessie B. Case vs Wm L. Case, action for divorce.
Suit No. 5558 filed; Edward C. Purnell vs Laura Purnell, action for divorce.
Suit No. 5559 filed; William et al vs Thomas King, action for possession of mining property in Turquoise district.

FR STATE COURT

Estate of Catalina Gomez; order appointing J. A. Miller, administrator.
Estate of Edward Scott; J. M. Muheim, Chas J. Jones and Lemuel J. Overlock appointed appraisers of the estate.

Alleged Arizona Forger Wanted in New York

A Globe dispatch says that Alexander Luberto, who was discharged from custody after being tried for alleged forgery, is wanted by the police department of New York on a similar charge. A message was received by the sheriff asking that the man be arrested again, as he was wanted in a mail fraud case. He is now being held by order of the United States marshal.

Mescal Smugglers on Arizona Border

The Citizen claims that wholesale smuggling of mescal across the international border line from Mexico into the United States is going on south of Ajo.
Thousands of gallons of the vilest kind of liquor, made of ingredients that are unknown and which cause drinkers to become maniacs temporarily are being sold in the mining camps.
As a result numerous serious affrays threaten and the mines in the Ajo and surrounding districts are sometimes compelled to cease operations for a week, as all the miners become drunk.

Announcement.

It has been found necessary by the management of the Red Men Minstrel Show to announce a postponement of the entertainment billed for Monday next, the new date being Monday, February 15th, one week later, and all reserved seats up to this time will be good for that night.

Locate Your House With Care.
Carefully Consider the Location Before
You Buy. H. C. C. C. Co. Real Estate and Insurance

TERRITORIAL ITEMS OF INTEREST

Newsy Arizona Events Taken In at a Glance

The Citizen's Building and Loan association has declared all certificates of stock in series No. 9 matured, says the Tucson Star. The par value of each share is \$200.

The electricity that will be generated by the Arizona Power company at Fossil Creek will be doing business in Jerome on or about April first next. When the company has completed its two plants on the creek, it will have a power of 13,306 horse power.

The Tucson Star says that Charles T. Weir of the Randolph lines left Tuesday night for San Francisco, whence he will sail for Japan to inspect the lumber which the Randolph lines have purchased in that country to be used as ties in the construction of their road in Mexico.

Last week John S. Merrill, who has the contract for the excavation of the new reservoir for the Southern Pacific at Benson, east of the roundhouse, broke his first ground. It is understood that the work will be pushed steadily until its completion. The reservoir is of oval shape and 100 feet the longest way. It will be eight feet deep. Into this will flow the water from the five wells of the company and the water for the big tank on the hill will be pumped from the reservoir.

All will be activity at Humboldt again within the next month, according to the good news that arrived here direct from headquarters at New York. While the big furnace will not be roaring for probably several months, yet a big force of workmen will be put on in a couple of weeks to make repairs, do some reconstructing and get everything in trim for active smelting operations. The company has been reorganized under the name of Consolidated Arizona Smelting company. It is capitalized at \$9,200,000, divided into 1,840,000 shares of the par value of \$5 each.

RANGER CAPTAIN RESIGNS

Wheeler is Anxious
to Have Service
Maintained

LEGISLATIVE APPEAL

Will Appear Before Committee Then Proposes
to Resign

No matter whether the ultimate result of the fight on the rangers in the legislature should be the retention of the service, Harry Wheeler, captain of the ranger force, will tender his resignation to the governor. Already he has tentatively resigned, but, awaiting an answer to a telegram sent to Phoenix, he has not formally tendered his resignation to the governor.

Captain Wheeler's attitude at present is this: In a letter and telegram to Hon. Ben Goodrich, Cochise county's representative in the upper house, Captain Wheeler volunteers to appear before a committee, and under oath answer any questions or meet any charges that may be, or may have been, brought against the rangers. He takes this step because he believes the people of southern Arizona want the ranger service continued, and further, he believes that the democratic vote against the rangers is the result of a misunderstanding or a possible distortion of facts. And in order that it may not appear that he is actuated in this action by reasons of a personal nature, he has told Mr. Goodrich that no matter what might be the outcome of his appearance before a committee, he will at once tender his resignation.

Strange Malady Afflicts Arizona Cattle

Stockmen in the vicinity of Safford, whose cattle range between there and the Grahams, report that their cattle are rapidly dying from a malady, the nature of which no one seems to understand.

That kind of nourishment on which the cattle thrived through previous winters is plentiful. It is not from starvation that they die, for the manner of their death contradicts this supposition. There appears to be nothing the matter with them; they are strong and lively; but when the range riders attempt to drive them and they become heated they fall

Distinguished Eastern Visitors

Judge L. W. Wolcott and wife of Grand Rapids, Mich., are Tombstone visitors. Judge Wolcott is a brother of our enterprising merchant, F. N. Wolcott, and the distinguished visitor and his estimable wife, en route to California, will spend a fortnight in the only Tombstone, the guests of Mr. and Mrs. F. N. Wolcott. Judge Wolcott visited here many years ago and pleasantly recalls his former trip. The Judge and his wife share in the opinion that Tombstone's superb climate is hard to beat, while much of historic interest about the city with the sepulchral name adds to the enjoyment of their stay.

Stolen Horses Not Yet Recovered

The officers have been unable as yet to recover the band of horses stolen from the Swain camp in the Dragons. Eight head are now known to have been stolen. The trail was followed into Mexico, and Sheriff White is still below the line endeavoring to locate them. A Mexican was arrested at Middlesarch today believed to be implicated in the affair and is in jail here.

Mrs. J. E. Kelly, wife of Assistant Clerk J. E. Kelly of the board of supervisors, arrived today from Douglas and will make their future home here.

Frank Doan of Douglas is a Tombstone visitor today.

Thos. Allaire is a county seat visitor from his ranch in Sulphur Spring valley. Mr. Allaire served Cochise county as supervisor for two years and has many friends at the county seat. Mr. Allaire states "dry farmers" are settling in the big valley and it is but a matter of time when the large cattlemen will be crowded from the range.

For stomach troubles, biliousness and constipation try Chamberlain's Stomach and Liver Tablets. Many remarkable cures have been effected by them. Price, 25 cents. Sarsaparilla. For sale by all druggists.

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KIBBEY'S CONFIRMATION DOUBTFUL

A dispatch to the Los Angeles Times from Washington says:—"According to gossip here, President Roosevelt indicated to Governor Kibbey of Arizona, that the prospects of statehood would not be damaged if the governor would go home. Kibbey has been here for some time, urging statehood and seeking to be confirmed for reappointment by the senate. He is not warmly approved in the upper house, because he is said to have criticised some of the senators."

FOR SALE CASH.—One frame house of two rooms, 32 fruit trees, large lot fenced. Attilano Martinez, Tombstone. 1-23-4t

FREE TEXT BOOKS FOR ARIZONA SCHOOLS

Teachers Favor Radical Change in the
Present School System—New
Laws Suggested

WANT A SEPARATE SCHOOL LAW ADOPTED

In the hope of getting several measures through the legislature that will result in certain radical changes in the existing school laws, President Kendrick C. Babcock of the territorial university; Prof. Scudder, principal of the Tempe school; Prof. J. D. Loper of the Mesa school, and Superintendent Lutz of the Douglas public schools, have arrived in Phoenix and have been conferring with representatives of the Phoenix schools concerning what they believe would be desirable alternatives in the present laws regulating the conduct of the territorial public schools.

"There are several matters of importance which will be considered," said Mr. Lutz today, "the most important one, to my mind, being an

amendment of the law so that there will remain no doubt as to the authority of school trustees to provide separate schools for the colored children."

Another matter will be to consider a proposed law by which territorial school funds will be apportioned to the high school districts of the territory along with the districts which include only the lower grades, below the ninth.

An amendment to the compulsory school law has been suggested. The present compulsory school law applies to children between the ages of 8 and 14 years. It is proposed to change this law so that it will apply to children up to 16 years of age.

The question of free text books for all school children will be discussed and urged at the conference in Phoenix.

PREPARING FOR MASONIC CONCLAVE

Arizona Masons to Hold Three Day Session At Tucson

An event in Masonic circles which is of territorial importance to that fraternal organization will take place in Tucson on February 17, 18 and 19.

It will be the conferring of Scottish Rite degrees from the fourth to the thirty-second degree. It is expected that the class which will receive the degrees will number about forty.

The candidates will come to Tucson from Kingman, Jerome, Morenci, Bisbee, Tombstone, Yuma, Nogales and smaller towns in the territory to receive the degrees, as Tucson is the only place where they can be conferred up to the thirty-second.

The Citizen says that great preparations are being made for the reception of the visitors and will be entertained at a banquet at the conclusion of the three days' meeting.

Dr. Perrin Sues Part- ner for \$34,000

A San Francisco dispatch says: "Suit for the recovery of \$87,000 from John A. Benson was filed today in the federal circuit court by Dr. E. B. Perrin, the complaint declaring that Perrin was induced by Benson to turn over \$34,000 worth of government land scrip and that as a result of the latter's handling of land deals in which the two men were jointly interested, both were indicted for land frauds, found guilty and sentenced to a year in jail and \$1000 fine each. The value of scrip is stated to have increased to \$87,000, and the complaint alleges that any benefits from the money were received by Benson alone."

Chamberlain's Cough Remedy
Cures Coughs and Whooping Cough

Birthday Party Was Grand Success

The Birthday Party at the Methodist church was a grand success in every way. The church was decorated in a very artistic and pleasing style. The one hundred and fifty guests present all had an enjoyable time. The lunch served by the Ladies Aid Society was superb. Just inside the church door was placed a basket into which each guest deposited a silk sack, in which was as many cents as the person was years of age. The total number of years of life represented by the contents of those silk sacks was about six thousand. The ladies are very well pleased with the results of the party, both financially and socially.

THE LOCAL CHURCHES

At the Congregational church services as usual. Following is the order of services for Sunday: Sunday school at 10 a. m.; Preaching at 11 a. m. Young People at 7 p. m.; Evening service and address 7:30 p. m.

On Sunday morning, February 7th, Rev. Benedict will speak on "Lincoln Lessons." The famous life mask of Lincoln made by Sculptor Volk in 1869 and referred to in so many of the recent magazines, will be shown. The evening service will be under the direction of the Young Peoples' Society of the Christian Endeavor at 7:30 and will be the celebration of the thirtieth birthday of the society. Special music is expected besides an interesting service.

All are earnestly invited to these services.

Services in the M. E. church tomorrow as follows:—
Sunday school at 9:50 a. m. Preaching by the pastor at 11 a. m. and 7:30 p. m.

At the Methodist church on Sunday, the Epworth League meets at 7:00 p. m. Prayer meeting Wednesday at 7:30 p. m.

An earnest invitation is extended to all to attend these services.

Sacred Heart Catholic Church.—First Mass at 8 a. m.; second Mass at 9:30 a. m.; Sunday school 10:30 a. m.; Rosary and Benediction 7:30 p. m.

DR. PRICE'S Cream Baking Powder

Made from cream of tartar derived
solely from grapes, the most deli-
cious and healthful of all fruit acids.